

California Office of Historic Preservation Comments on the Draft Historic Resources Ordinance 30.157 Chapter 30.157

Santa Barbara became a Certified Local Government through the California Office of Historic Preservation (OHP) in 2019. As part of the Certification, the OHP reviews drafts of the amendments to the Historic Resources Ordinance to ensure that the local preservation program is consistent with federal and state standards and regulations as they are programs that have stood the test of time. The National Historic Preservation Act was adopted 1966. The National Register of Historic Places and its criteria are widely recognized, and they have been tested legally (reviewed, refined by adoption into regulations, tested and upheld in courts). Although the California Register of Historical Resources is much newer (1992), its criteria and procedures parallel the National Register.

Below are the Comments on the first draft of the Historic Resources Ordinance Chapter 30.157

- o Replace “historic resource” with “historical resource” when referring to buildings, sites, structures, or objects in California law- such as the California Environmental Quality Act (CEQA) and the California Register of Historical Resources.

- o OHP recommends considering the use of a broader term than Architectural Historian for this professional position.

- § Modern practice often uses terms like “Qualified Professional Staff Meeting the Secretary of the Interior’s Standards in Historic, Architectural History, or Architecture,” with the understanding that the background work of a historian or architect being considered for the position would demonstrate expertise in evaluation of the built environment.

- o Why do historic districts need to go to the Planning Commission? Can an administrative mechanism be used to approve/implement the HPOZ zoning change if the City Council approves designation of the district? Perhaps the Historic District adoption language can include a finding acknowledging the establishment of the HPOZ and change to the zoning code. Is the extra layer of public hearing necessary since the process already includes two public hearings?

- o The criteria for significance seem very complicated. Has any consideration been given to implementing the best practice of adopting criteria that mirror the National and State Criteria?

- § Many local governments adopt criteria that begin with four that mirror the National and State criteria and then add an additional criteria or two that capture properties that have local significance that may not meet one of the four standard criteria. Criteria for individual landmark designation and historic districts should be compatible.

- o If a property owner has the right to state their approval or objection to designation is should be codified in the ordinance.

- § OHP recommends following the National Register process where owners may object to designation AFTER the public process is complete. Owners often begin to understand the importance of designation as they move through the public process.

- Should an owner object after the process is complete, and a public body (the CA State Historic Resources Commission- in the case of National Register designation) has deemed the property significant through a transparent public process, the property is considered a historic/al for the purposes of environmental review, despite not being formally designated.